

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Master Dkt.: 1:13-md-02419-FDS

THIS DOCUMENT RELATES TO:

All Actions

**PLAINTIFFS' STEERING COMMITTEE'S UNOPPOSED MOTION FOR LEAVE FOR
ENTRY OF QUALIFIED PROTECTIVE ORDER**

The Plaintiffs' Steering Committee ("PSC") bring this joint motion for entry of the attached qualified protective order (the "Proposed Order") to aid the disbursement of funds to victims of the 2012 fungal meningitis outbreak .

Specifically, on May 20, 2015 (the "Confirmation Date") the United States Bankruptcy Court for the District of Massachusetts, Eastern Division in the New England Compounding Pharmacy's Chapter 11 bankruptcy proceeding, Case No. 12-19882 (the "Bankruptcy Proceeding") entered an order, dated May 20, 2015 (the "Confirmation Order"), confirming the Third Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc. (the "Plan") filed jointly by Paul D. Moore, in his capacity as Chapter 11 Trustee, and the Official Committee of Unsecured Creditors. The Plan establishes a claims process and that the National Settlement Administrator and Appeals Administrator (as defined in the Confirmation Order) may use information from state department of health lists in the administration of the claims process as set forth in the Plan. Importantly, this information produced by this state agency in

accordance with the Proposed Order will only be accessible to the Settlement Administrator and Appeals Administrator and no other party may access this information under the Proposed Order.

Accordingly, the PSC respectfully requests that the Court enter the Proposed Order and allow information gathered by the Tennessee Department of Health to be accessed by the Settlement Administrator and the Appeals Administrator in the claims process. The PSC has consulted with the Tennessee Department of Health and it consents to the entry of the Proposed Order.

Dated: July 31, 2015

Respectfully submitted,

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Benjamin A. Gastel, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

Additionally, a copy of this Motion has been served on counsel for the Tennessee Department of Health via electronic mail as follows:

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Deputy General Counsel
Tennessee Department of Health
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Dated: July 31, 2015

/s/ Benjamin A. Gastel
Benjamin A. Gastel